

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI
WRIT PETITION NO : 9438 of 1995

Between:

Deyyala Anjaneyulu S/o. Thimmappa
Kadadara Gunta (v), Kudair (M),
Anantapur Dist.

..... PETITIONER

AND

1. The Mandal Revnue Officer,
Kudair (M), Anantapur Dist.
2. Penna Obulesu S/o. Obulesu
Anthraganga (v) Kudair (M),
Anantapur Dist.
3. Obulesu S/o. Maddappagari Vonnurappa
Anthraganga (v) Kudair (M),
Anantapur Dist.
4. Vonnurappa S/o. Vonnurappa
Anthraganga (v) Kudair (M),
Anantapur Dist.
5. Ramanjaneyulu S/o. Madappa
Anthraganga (v) Kudair (M),
Anantapur Dist.
6. Obulappa S/o. Mutyalappa
Anthraganga (v) Kudair (M),
Anantapur Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in orally directing the petitioner not to enter upon the lands admeasuring Ac.14.26 cents in S.No.425/1 of Ipperu (v), without serving the resumption order to the petitioner as illegal, arbitrary and in violation of principles of natural justice.

Counsel for the Petitioner: Mr.A.BHASKARA CHARY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following ORAL ORDER:

The present Writ Petition has been preferred by the petitioner seeking for a direction in the nature of writ of mandamus declaring that the action of the 1st respondent, in orally directing the petitioner not to enter upon the lands admeasuring Ac.14.26 cents in S.No.425/1 of Ipperu village, without serving resumption order to the petitioner, as illegal, arbitrary and in violation of principles of natural justice.

2. The case of the petitioner is that he purchased the land admeasuring Ac.14.26 cents in S.No.425/1 of Ipperu village from one Adi Andhra Vannurappa under registered sale deed No.1391, dated 5-4-1969 in the year, 1969 and since then, he was in possession of the said land and his possession was also entered in the Adangals. He raised ground nut crop in the month of December, 1994. It is his further case that respondents 2 to 6 are claiming that the said lands are assigned in their favour and they are trying to enter the said lands and raise crops and therefore, he approached the 1st respondent for clarification, but the 1st respondent said that the said lands are Government lands, resumed by order dated 23-3-1993, assigned to the respondents 2 to 6 by order dated 29-4-1993.

3. It is the further case of the petitioner that the said lands were originally given in grant to one Smt. Pullamma in the year,1920, who sold the same to one Adi Andhra Vannurappa in the year,1948, from whom the petitioner purchased the same. Except orally directing the petitioner not to enter upon the land, in question, the 1st respondent did not serve any resumption order on the petitioner. Hence, the petitioner

could not file any appeal. Under those circumstances, the petitioner filed the present Writ Petition.

4. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

5. Except stating that the 1st respondent orally directed him not to enter upon the lands admeasuring Ac.14.26 cents in Sy.No.425/1 of Ipperu village, the petitioner has not placed any material before this Court to substantiate his case. Under the above circumstances, this Writ Petition needs no interference.

Accordingly, this Writ Petition is dismissed. No costs.

(T.MEENA KUMARI,J)

9th September,2004.

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To

1. The Mandal Revnue Officer,
Kudair (M), Anantapur Dist.
2. Two CCs to the GP for Revenue, High Court Buildings,
Hyderabad (O.U.T.)
3. Two CD Copies.